

1 PHILLIP A. TALBERT
2 United States Attorney
3 KEVIN C. KHASIGIAN
4 Assistant United States Attorney
5 501 I Street, Suite 10-100
6 Sacramento, CA 95814
7 Telephone: (916) 554-2700

8 Attorneys for the United States

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10
11 IN THE UNITED STATES DISTRICT COURT
12
13 EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,
15 v.
16 APPROXIMATELY \$10,000.00 IN
17 MONEY ORDER VALUED AT \$1,000.00
18 Defendants.

2:23-MC-00266-KJM-DB

STIPULATION AND ORDER EXTENDING TIME
FOR FILING A COMPLAINT FOR FORFEITURE
AND/OR TO OBTAIN AN INDICTMENT
ALLEGING FORFEITURE

19 It is hereby stipulated by and between the United States of America and potential claimants Efren
20 Pacheco and Freeway Packaging and Glass, LLC (“claimants”), by and through their respective counsel,
21 as follows:

22 1. On or about April 12, 2023, claimants filed claims in the administrative forfeiture
23 proceeding with the U.S. Postal Inspection Service with respect to the Approximately \$10,000.00 in U.S.
24 Currency and a Money Order valued at \$1,000.00 in U.S. Currency (hereafter “defendant funds”), which
25 were seized on February 8, 2023.

26 2. The U.S. Postal Inspection Service has sent the written notice of intent to forfeit required
27 by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any person to file a
28 claim to the defendant funds under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than claimants has

1 filed a claim to the defendant funds as required by law in the administrative forfeiture proceeding.

2 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
3 forfeiture against the defendant funds and/or to obtain an indictment alleging that the defendant funds are
4 subject to forfeiture within ninety days after a claim has been filed in the administrative forfeiture
5 proceeding, unless the court extends the deadline for good cause shown or by agreement of the parties.
6 That deadline was July 11, 2023.

7 4. By Stipulation and Order filed on July 11, 2023, the parties stipulated to extend to October
8 10, 2023, the time in which the United States is required to file a civil complaint for forfeiture against the
9 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

10 5. By Stipulation and Order filed on October 12, 2023, the parties stipulated to extend to
11 January 8, 2024, the time in which the United States is required to file a civil complaint for forfeiture
12 against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to
13 forfeiture.

14 6. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
15 to March 8, 2024, the time in which the United States is required to file a civil complaint for forfeiture
16 against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to
17 forfeiture.

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1 7. Accordingly, the parties agree that the deadline by which the United States shall be
2 required to file a complaint for forfeiture against the defendant funds and/or to obtain an indictment
3 alleging that the defendant funds are subject to forfeiture shall be extended to March 8, 2024.

4 Dated: 1/8/2024

PHILLIP A. TALBERT
United States Attorney

5 By: /s/ Kevin C. Khasigian
6 KEVIN C. KHASIGIAN
7 Assistant U.S. Attorney

8 Dated: 1/8/2024

9 /s/ Jacek W. Lentz
10 JACEK W. LENTZ
11 Attorney for potential claimants
12 Efren Pacheco and
13 Freeway Packaging and Glass, LLC
14 (Signature authorized by email)

15 **IT IS SO ORDERED.**

16 Dated: January 9, 2024.

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18 CHIEF UNITED STATES DISTRICT JUDGE